

REMARKS

Claims 1-23 are pending in the application. Claims 1, 13, 22, and 23 are the independent claims. In an Official Action dated April 25, 2006 claims 1-23 were rejected as allegedly obvious over U.S. Pat. 6,327,614 (Asano) in view of U.S. Pat. App. 2004/0024941 (Olarig). Please amend claims 1, 13, 22, and 23 as set forth above.

Applicant respectfully requests that the Examiner acknowledges the drawings filed with the application on June 27, 2003 as formal.

Interview Summary

Applicant's attorney, Nathaniel Ari Long, would like to thank Examiner Sheng-Jen Tsai for the courtesy of a telephone interview conducted on Tuesday, October 10, 2006.

The interview focused on a limitation of the independent claims previously directed to "core logic configured to dynamically accept algorithms that *define or alter* its operating characteristics *without disrupting the operation of the media server*." (Emphasis added). In particular, Applicants suggested replacing "*define or alter*" with "*alter*" to define over Asano.

Asano states that "program codes to be executed by the processor 21 are written in the ROM 23 in advance." Asano column 4, lines 63-67. Asano's use of a ROM, or Read-Only Memory, suggests that Asano's NIP cannot "dynamically accept algorithms that alter its operating characteristics" as required by Applicant's claims.

The Examiner suggested that Applicants further define the term "alter" in the claims to better distinguish over the references. Also, Examiner pointed out that "*without disrupting the operation of the media server*" might be broad enough to encompass embodiments that

require physical removal and reconfiguration of a component such as Asano's NIP. If such physical removal were conducted during a period when an associated media server does not need to use the component, then it might be done "*without disrupting the operation of the media server.*"

Applicants and Examiner agreed that replacing "*without disrupting the operation of the media server*" with "*without disconnecting said adaptable cache from the media server,*" as set forth in the amendments above, would solve this problem and further define over Asano. Applicants agreed to prepare the present amendment for further consideration by the Examiner.

Rejection of Claims 1-23 Under 35 U.S.C. 103(a)

Claims 1, 13, 22, and 23 have been amended as discussed in the interview of Oct. 10, 2006. In particular, "define or alter" has been replaced with "alter." The term "alter" has been further defined as "by modification of a caching rule to account for asset request frequency."

For example, as disclosed in paragraphs 00070 and 00071, core logic may comprise a Programmable Logic Device (PLD) into which caching rules may be programmed, as described in paragraph 00083. Caching rules may account for parameters such as available capacity and request frequency for a requested asset, as described in paragraph 00083.

Also, language in independent claims 1, 13, 22, and 23 that referred to "accept[ing] algorithms" has been removed in an effort to clarify the language of the claims and remove extraneous language that may limit the scope of protection to which the Applicants are entitled.

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Finally, “*without disrupting the operation of the media server*” has been replaced with “*without disconnecting said adaptable cache from the media server*” as discussed in the interview of Oct. 10.

Claims 2-12 and 14-21 depend from independent claims 1 and 13, respectively, and are therefore considered allowable over Asano, Olarig, and the various other references of record for the same reasons. Applicants respectfully await the Examiner’s determination upon further review of the application.

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